

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

<b>IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION</b>	<b>MDL No. 2875</b>
<b>THIS DOCUMENT RELATES TO ALL CASES</b>	<b>HON. ROBERT B. KUGLER CIVIL NO. 19-2875 (RBK)</b>

**CERTIFICATION OF DANIEL A. NIGH IN SUPPORT OF  
DAUBERT MOTION TO EXCLUDE TESTIMONY OF LEE-JEN WEI, PH.D.**

**DANIEL A. NIGH** hereby certify as follows:

1. I am an attorney at law within the State of Florida and a shareholder with the law firm of Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr & Mougey, P.A., and serve as Plaintiffs' Co-Lead Counsel. I am fully familiar with the facts and circumstances of these actions. I make this Certification in support of Plaintiffs' motion to exclude the testimony of Lee-Jen Wei, Ph.D.

2. Attached hereto as **Exhibit 1** is a true and accurate copy of the September 14, 2021 Deposition Transcript of Lee-Jen Wei, Ph.D.

3. Attached hereto as **Exhibit 2** is a true and accurate copy of David Madigan's July 7, 2021 Expert Report.

4. Attached hereto as **Exhibit 3** is a true and accurate copy of Lee-Jen Wei's August 2, 2021 Expert Report.

5. Attached hereto as **Exhibit 4** is a true and accurate copy of Liteplo, R.G., et. al., *Concise International Chemical Assessment, N-Nitrosodimethylamine*, World Health Organization (WHO), 2002.

6. Attached hereto as **Exhibit 5** is a true and accurate copy of Knekt P, et. al., *Risk of colorectal and other gastro-intestinal cancers after exposure to nitrate, nitrite and N-nitroso compounds: a follow-up study*, INT. J. CANCER: 80, 852-856 (1999).

7. Attached hereto as **Exhibit 6** is a true and accurate copy of De Stefani, E., et. al., *Dietary nitrosodimethylamine and the risk of lung cancer: a case-control study from Uruguay*, CANCER EPIDEMIOLOGY, BIOMARKERS & PREVENTION Vol. 5, 679-682 (1996).

8. Attached hereto as **Exhibit 7** is a true and accurate copy of Rogers, et. al., *Consumption of nitrate, nitrite, and nitrosodimethylamine and the risk of upper aerodigestive tract cancer*, CANCER EPIDEMIOLOGY, BIOMARKERS & PREVENTION Vol. 4, 29-36 (1995).

9. Attached hereto as **Exhibit 8** is a true and accurate copy La Vecchia, et. al., *Nitrosamine intake and gastric cancer*, EUROPEAN JOURNAL OF CANCER PREVENTION (1995).

10. Attached hereto as **Exhibit 9** is a true and accurate copy of the September 29, 2021 Deposition Transcript of Herman J. Gibb, Ph.D., M.P.H.

11. Attached hereto as **Exhibit 10** is a true and accurate copy of the *In re Taxotere Products Liability Litigation* (2019) Expert Report of Lee-Jen Wei (highlights added).

12. Attached hereto as **Exhibit 11** is a true and accurate copy of *In re Bextra and Celebrex Marketing, Sales Practices and Products Liability Litigation* (2007) Expert Report of Lee-Jen Wei (highlights added).

13. Attached hereto as **Exhibit 12** is a true and accurate copy of the September 15, 2021 Deposition Transcript of Lee-Jen Wei, Ph.D.

14. Attached hereto as **Exhibit 13** is a true and accurate copy of *Allen v. Int'l Bus. Machines Corp.*, WL 34501372 1, \*19 (D. Del. Dec. 18, 1997).

15. Attached hereto as **Exhibit 14** is a true and accurate copy of *Chester Valley Coach Works v. Fisher-Price, Inc.*, 2001 WL 1160012 1, 4 (E.D. Pa. Aug. 29, 2001).

16. Attached hereto as **Exhibit 15** is a true and accurate copy of *Geiss v. Target Corp.*, 2013 WL 4675377 (D.N.J. 2013).

17. Attached hereto as **Exhibit 16** is a true and accurate copy of *In re Diet Drugs*, MDL 1203, 2001 WL 454586 1, \*14 (E.D. Pa. Feb. 1, 2001).

18. Attached hereto as **Exhibit 17** is a true and accurate copy of *Player v. Motiva Enterprises LLC*, 2006 WL 166452 (D.N.J. 2006).

Dated: November 1, 2021

Respectfully submitted:

/s/Daniel A. Nigh

Daniel A. Nigh

**Levin, Papantonio, Rafferty, Proctor,  
Buchanan, O'Brien, Barr & Mougey, P.A.**

316 S. Baylen Street, Suite 600

Pensacola, FL 32502

Phone: (850) 435-7013

Fax: (850) 436-6013

Email: [dnigh@levinlaw.com](mailto:dnigh@levinlaw.com)